

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

SHAMINE POYNOR on behalf of herself and all others similarly situated,

Plaintiff.

v.

NEVADA CANCER INSTITUTE,

Defendant.

**Case No. 2:11-cv-00610-PMP-
RLR**

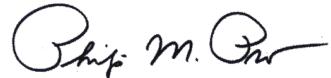
**ORDER CERTIFYING A CLASS
AND GRANTING RELATED RELIEF**

AND NOW, upon consideration of Plaintiff's Motion for Class Certification and Related Relief (the "Motion") and any objections thereto, and upon finding that the proposed class meets the requirements of Fed. R. Civ. P. 23, it is hereby ORDERED that:

1. A class is certified comprised of the Plaintiff and the other former employees of Defendant, (i) who worked at or reported to Defendant's Facilities, located at One Breakthrough Way, Las Vegas, Nevada and 1800 West Charleston Boulevard, Las Vegas, Nevada, and were terminated on or about April 8, 2011, within 30 days of April 8, 2011, or in anticipation of or as the foreseeable consequence of the mass layoffs or plant closings ordered by Defendant on or about April 8, 2011, and who are affected employees within the meaning of 29 U.S.C. § 2101(a)(5), and (ii) who have not filed a timely request to opt-out of the class;
2. The Class described above meets the requirements of Fed. R. Civ. P. 23(b)(3);
3. Outten & Golden LLP is hereby appointed lead Class Counsel and Semenza & Semenza LLP as Class Counsel;
4. Plaintiff Shamine Poynor is hereby appointed Class Representative;

5. The proposed form of Notice to the Class, attached hereto is approved;
6. Within ten (10) days after the entry of this Order, Defendant shall provide Class Counsel with the names and addresses of the class members as noted in Defendant's records;
7. On or before ten (10) days after receipt from the Defendant of the names and addresses of the Class members, Class Counsel shall provide notice of the pendency of the class action lawsuit by mailing the Notice, First Class postage prepaid, to each employee of Defendant who falls within the definition of the class, to their last known address as noted in the records of the Defendant;
8. Within ten (10) days after such mailing, Class Counsel shall serve and file a sworn statement affirming compliance with this Order concerning the mailing of the Notice;
9. The deadline for any Class Member to opt-out of the Class shall be 30 days from the date of mailing of the Notice;
10. Class Counsel shall serve and file a sworn statement listing the names of any persons who have opted out of the Class; and
11. Notice in compliance with this order is hereby found to be the best notice practicable under the circumstances and constitutes due and sufficient notice to all class members in full compliance with the notice requirements of Fed. R. Civ. P. 23.

DATED: October 26, 2011



The Honorable Philip M. Pro